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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 Grand Canyon West Ranch LLC,
13 Plaintiff/Counter-Defendant,
14 v.
15 Sally Jewell, Secretary, United States
16 Department of Interior, *et al.*,
17 Defendant/Counter-Claimant.

CIV-03-02496-PCT-NVW

**NOTICE OF ENGINEERS'
MEETING**

18 Pursuant to this Court's October 10, 2013 Order, (Doc. No. 252), the United States
19 provides gives notice that engineers for Plaintiff and Defendant met at BIA headquarters
20 on October 21, 2013.

21 The meeting was attended by the following individuals: Troy Peterson, P.E.,
22 Principal, Bowman Consulting (Plaintiff's expert); Scott Schmidgall, P.E., Supervisory
23 Highway Engineer, BIA-WRO-DOT (BIA engineer); Steve Slade, P.E., Supervisory
24 Highway Engineer, BIA-WRO-DOT (BIA engineer); Erin Forrest, Public Works
25 Director, Hualapai Tribe; and Michael Fann, Owner, Fann Contracting, Inc.
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1 A summary of the engineers' meeting was prepared by the BIA and circulated
2 among the engineers for review. The summary is attached hereto as Exhibit A. For ease of
3 reading, the attachment is a continuation of parties' individual engineer reports, previously
4 filed at Exhibit A to Doc. No. 257. This new document contains a summary of the
5 engineers' conclusions in a green, bold font, under the header "Engineer's Meeting
6 Recommendations."

8 The United States' submits that the "Engineer's Meeting Recommendations" do not
9 reflect an agreement by the principal parties, who are scheduled to meet on Monday,
10 October 29, 2013 at 9:30 a.m. Attached hereto as Exhibit B is an email chain among the
11 engineers reflecting the fact that Plaintiff does not agree with some or all of the engineers'
12 recommendations. *Compare* (Exh B. at p.4)(Oct. 24, 2013, 11:26 a.m. email from Troy
13 Peterson to Scott Schmidgall regarding draft report)("Looks good. Thank you") *with Id.* at
14 p.6 (Oct. 24, 2013, 3:43 p.m. email from Mr. Peterson indicating Plaintiff's lack of
15 agreement).

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18 Respectfully submitted this 27th day of October, 2013.
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20 JOHN S. LEONARDO
21 United States Attorney
22 District of Arizona

23 s/ Peter M. Lantka
24 PETER M. LANTKA
25 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2013, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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s/Mary C. Bangart
U.S. Attorney's Office